

**REMARKS**

Claims 1 through 20 were presented for examination and 1 through 20 were rejected. The bases for the rejections are as follows:

- 1.) Claims 8, 10 through 16 and 20 have been rejected under 35 USC 112, first paragraph, with respect to the reverse tapering and the space shuttle claim features.
- 2.) Claims 8, 10 through 16 and 20 have been rejected under 35 USC 112, first paragraph, for failing to comply with the enabling requirement, with respect to the reverse tapering and the space shuttle claim features.
- 3.) Claims 1 through 6, 9 through 14, 17, 20 have been rejected under 35 USC 102 (b) as anticipated by DiPerna.
- 4.) Claims 1 through 7 and 9 have been rejected under 35 USC 102 (b) as anticipated by Spahn.
- 5.) Claims 1 through 7 and 9 have been rejected under 35 USC 102 (b) as anticipated by Boodman et al.
- 6.) Claims 1 through 7, 9 and 17 through 19 have been rejected under 35 USC 102 (b) as anticipated by Treat.
- 7.) Claim 15 has been rejected under 35 USC 103 (a) as obvious over DiPerna in view of Boodman et al.

Applicant responds to these objections as follows:

**I. Claims 8, 10-16 and 20 under 35 USC 112, first paragraph and second paragraph.**

Claims 8, 10 through 16 and 20 have been rejected under 35 USC 112, first paragraph, with respect to the reverse tapering and the space shuttle claim features and have been rejected under 35 USC 112, first paragraph, for failing to comply with the enabling requirement, with respect to the reverse tapering and the space shuttle claim features. In response, these claims have been modified or eliminated so as to exclude the features referenced in the 35 USC 112 rejections by the Examiner. Thus, the above amendments are believed to obviate these rejections.

**II. Claims 1-6, 9-14, 17 and 20 under 35 USC 102 (b) as anticipated by DiPerna.**

Claims 1 through 6, 9 through 14, 17 and 20 have been rejected under 35 USC 102 (b) as anticipated by DiPerna on the basis that all of the limitations of all of these claims are expressly taught by DiPerna. However, the DiPerna patent does not teach the present invention as claimed. Specifically, this prior art reference is directed to an electric vehicle that relies upon an air-operated generator to charge the batteries that power the electric motor. On the other hand, the present invention vehicles are ones that have conventional power means and a supplemental power plant for powering power consuming mechanisms, wherein the supplemental power plant includes an air-operated generator. Thus, the present invention, even in the original claims, requires a power plant to run the vehicle and to charge a battery that is used to power the vehicle's power

consuming mechanisms (heaters, air conditioners, radios, etc.), and wherein the supplemental power plant charges the battery that powers the power consuming mechanisms. DiPerna teaches an electric vehicle with an air operated generator that charges the primary power plant and not a battery to service power consuming mechanisms. In other words, in DiPerna, the device is used to charge the power source that operates and drives the wheels. In the present invention, the engine drives the wheels and charges the battery that operates the power-consuming mechanisms (AC, heat, radio, etc.) and the device assists in charging that secondary power battery. Thus, this prior art does not teach the present invention vehicles. To further distinguish the present invention over the prior art, the new claims specifically recite gasoline and diesel motors vehicles as the conventional vehicle power means and utilize the claimed supplemental power plant to charge the battery that powers the power consuming mechanisms. It is therefore urged that this rejection be withdrawn as it is not applicable to the new claims.

**III. Claims 1-7 and 9, rejected under 35 USC 102 (b) as anticipated by Spahn.**

Claims 1 through 7 and 9 have been rejected under 35 USC 102 (b) as anticipated by Spahn on the basis that all of the limitations of all of these claims are expressly taught by Spahn. However, as with the DiPerna patent described above, Spahn does not teach the present invention as claimed. Specifically, Spahn is directed to an electric vehicle that relies upon an air-operated generator to charge the batteries that power the electric

motor. On the other hand, the present invention vehicles are ones that have conventional power means and a supplemental power plant for powering power consuming mechanisms, wherein the supplemental power plant includes an air-operated generator. Spahn is totally contrary to the present invention vehicles because Spahn proposes an auxiliary internal combustion engine. In fact, the internal combustion engine of Spahn is a backup that shuts off when the main power batteries are sufficiently charged by the turbine to drive the vehicle by battery (hence, an electric car with an i.c.e. back-up). On the other hand, the present invention, even in the original claims, requires a power plant to run the vehicle and to charge a battery that is used to power the vehicle's power consuming mechanisms (heaters, air conditioners, radios, etc.), and the supplemental power plant charges the battery that powers the power consuming mechanisms. The present invention arrangement never uses the supplemental power plant to drive the vehicle itself. Spahn teaches an electric vehicle with an air operated generator that charges the primary power plant and not a battery to service power consuming mechanisms. In other words, in Spahn, the device is used to charge the power source that operates and drives the wheels. In the present invention, the internal combustion engine drives the wheels and charges the battery that operates the power-consuming mechanisms (AC, heat, radio, etc.) and the supplemental power plant device assists in only charging that secondary power battery. Thus, this prior art does not teach the present invention vehicles. To further distinguish the present invention over the prior art, the new claims specifically recite gasoline and diesel motors vehicles as the conventional vehicle power means and utilize the claimed supplemental power plant to charge the battery that powers

the power consuming mechanisms. It is therefore urged that this rejection be withdrawn as it is not applicable to the new claims.

**IV. Claims 1-7, 9, rejected under 35 USC 102 (b) as anticipated by Boodman et al.**

Claims 1 through 7, and 9 have been rejected under 35 USC 102 (b) as anticipated by Boodman et al on the basis that all of the limitations of all of these claims are expressly taught by Boodman et al. However, the Boodman et al patent does not teach the present invention as claimed. Specifically, this prior art reference is directed to an electric vehicle that relies upon an air-operated generator located on the roof of the truck to charge the batteries that power the electric motor. On the other hand, the present invention vehicles are ones that have conventional power means and a supplemental power plant for powering power consuming mechanisms, wherein the supplemental power plant includes an air-operated generator. Thus, the present invention, even in the original claims, requires a power plant (diesel or gasoline internal combustion engine) to run the vehicle and to charge a battery that is used to power the vehicle's power consuming mechanisms (heaters, air conditioners, radios, etc.), and wherein the supplemental power plant charges the battery that powers the power consuming mechanisms. Boodman et al teaches an electric vehicle with an air operated generator that charges the primary power plant and not a battery to service power consuming mechanisms. In other words, in Boodman et al as with all of the cited prior art, the prior art device is used to charge the power source that operates and drives the wheels. In the

present invention, the engine drives the wheels and charges the battery that operates the power-consuming mechanisms (AC, heat, radio, etc.) and the present invention supplemental power plant device assists in charging that secondary power battery. Thus, this prior art does not teach the present invention vehicles. To further distinguish the present invention over the prior art, the new claims specifically recite gasoline and diesel motors vehicles as the conventional vehicle power means and utilize the claimed supplemental power plant to charge the battery that powers the power consuming mechanisms.

It is therefore urged that this rejection be withdrawn as it is not applicable to the new claims.

**V. Claims 1-7, 9 and 17-19, rejected under 35 USC 102 (b) as anticipated by Treat.**

Claims 1 through 7, 9 through 14, 17 and 19 have been rejected under 35 USC 102 (b) as anticipated by Treat on the basis that all of the limitations of all of these claims are expressly taught by Treat. However, the Treat patent does not teach the present invention as claimed. Specifically, this prior art reference is directed to a solar powered electric vehicle that relies upon a bank of batteries primarily charged by solar panels to operate an electric drive motor. An air-operated generator is used to secondarily charge the batteries that power the electric motor. On the other hand, the present invention vehicles are ones that have conventional power means and a supplemental power plant for powering power consuming mechanisms, wherein the supplemental power plant

includes an air-operated generator. Thus, the present invention, even in the original claims, requires a power plant to run the vehicle and to charge a battery that is used to power the vehicle's power consuming mechanisms (heaters, air conditioners, radios, etc.), and wherein the supplemental power plant charges the battery that powers the power consuming mechanisms. Treat teaches a solar powered electric vehicle with an auxiliary air operated generator that charges the primary power plant and not a battery to service power consuming mechanisms. In other words, in Treat, the device is used to charge the power source that operates and drives the wheels. In the present invention, the engine drives the wheels and charges the battery that operates the power-consuming mechanisms (AC, heat, radio, etc.) and the device assists in charging that secondary power battery. Thus, this prior art does not teach the present invention vehicles. To further distinguish the present invention over the prior art, the new claims specifically recite gasoline and diesel motors vehicles as the conventional vehicle power means and utilize the claimed supplemental power plant to charge the battery that powers the power consuming mechanisms. It is therefore urged that this rejection be withdrawn as it is not applicable to the new claims.

**VI. Claim 15, rejected under 35 USC 103 (a) as obvious over DiPerna in view of Boodman et al.**

Claim 15 has been rejected under 35 USC 103 (a) as obvious over Di Perna in view of Boodman et al on the basis that all of the limitations of all of these claims are

expressly taught by DiPerna, except for the radius of the housing tapering toward the back. Boodman teaches this feature and the examiner argues that it would be appropriate to one of ordinary skill in the art to add this Boodman teaching to the DiPerna teachings. However, the DiPerna patent does not teach the present invention as claimed. Specifically, this prior art reference is directed to an electric vehicle that relies upon an air-operated generator to charge the batteries that power the electric motor. On the other hand, the present invention vehicles are ones that have conventional power means and a supplemental power plant for powering power consuming mechanisms, wherein the supplemental power plant includes an air-operated generator. Thus, the present invention, even in the original claims, requires a power plant to run the vehicle and to charge a battery that is used to power the vehicle's power consuming mechanisms (heaters, air conditioners, radios, etc.), and wherein the supplemental power plant charges the battery that powers the power consuming mechanisms. DiPerna teaches an electric vehicle with an air operated generator that charges the primary power plant and not a battery to service power consuming mechanisms. In other words, in DiPerna, the device is used to charge the power source that operates and drives the wheels. Boodman et al adds nothing to overcome the significant shortcomings of the DiPerna patent. In the present invention, the engine drives the wheels and charges the battery that operates the power-consuming mechanisms (AC, heat, radio, etc.) and the device assists in charging that secondary power battery. Thus, this prior art combination of DiPerna and Boodman et al does not teach the present invention vehicles. To further distinguish the present invention over the prior art, the new claims specifically recite gasoline and diesel motors

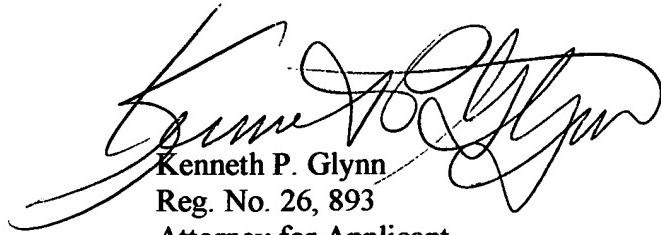
vehicles as the conventional vehicle power means and utilize the claimed supplemental power plant to charge the battery that powers the power consuming mechanisms.

It is therefore urged that this rejection be withdrawn as it is not applicable to the new claims.

### **VII. Conclusions**

The new claims clearly distinguish the present invention from the prior art and are believed to obviate the 35 USC 112 rejections as well. For these reasons, it is believed that all of the claims now pending in the case are allowable. An early and favorable response is requested. Thank you.

Respectfully submitted,



Kenneth P. Glynn  
Reg. No. 26, 893  
Attorney for Applicant  
24 Mine Street  
Flemington, NJ 08822  
(908) 788-0077 Tele  
(908) 788-3999 Fax

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KPG/dm  
EM RRR No. ER 416519390 US  
cc: THEODORE P. KOUSOULIS